


Waiver of Pay Reduction upon Voluntary Demotion

	Louisiana Department of Health (LDH)	
	Policy Number	54.2
	Content	Policy to provide LDH a standard for approving requests to allow employees to retain their salary upon voluntary demotion
	Effective Date	July 01, 2018
	Inquiries to	Division of Human Resources, Training and Staff Development Office of Management and Finance P. O. Box 4818 Baton Rouge, LA 70821-4818 (225) 342-6477 FAX (225) 342-6892

If there is a discrepancy between an LDH Policy and a Program Office or facility policy, the LDH policy shall govern/overrule/supersede the conflicting section within the Program Office or facility policy.

I. POLICY STATEMENT

The Louisiana Department of Health (LDH) shall utilize the authority granted by the Department of Civil Service (CS) and the Civil Service Commission under CS Rule 6.10 (d) to waive the standard pay reduction upon voluntary demotion. Fraudulent promotion/demotion practices used as a method of granting pay increases to employees are prohibited.

II. APPLICABILITY

This policy shall be applicable to permanent classified employees in all LDH Offices and subdivisions thereof and shall be posted in a manner accessible to those employees.

III. EFFECTIVE DATE

The effective date of this revised policy is July 01, 2018.

IV. RESPONSIBILITY

It shall be responsibility of the Secretary, Deputy Secretary, Undersecretary, Assistant Secretaries, and/or their designees to:

- A. Review and approve/disapprove requests for pay reduction waivers;
- B. Ensure that fraudulent promotion/demotion practices are not used as a method of granting pay increases to employees under their jurisdiction; and
- C. Maintain records of waivers granted for audit purposes and to notify a receiving office/facility of any pay reduction waivers granted an employee on or after July 01, 2018 when an employee leaves their jurisdiction.

V. POLICY PROVISIONS

A. Eligible Demotions

A pay reduction waiver, subject to a conditional period as described in Section V.C., may be granted for the following circumstances. (Note: CS Rules do not allow an employee to retain a pay rate which is higher than the maximum of the pay range of the job to which the employee is demoting).

1. Voluntary demotion (except as prohibited in Section V.B.)

An employee voluntarily demotes into a lower level position and has not received a demotion pay waiver under this policy within the preceding **6-month** period.

2. Transfer in and demotion

A permanent, classified employee is transferred into LDH from another state agency in a position which is at a lower level than the employee's current position, and he or she has not received a demotion pay waiver within the preceding **6-month** period.

4. Circumstances which are not specifically described above must be presented, in writing, to the Human Resources Office for review.

B. Non-eligible Demotions

1. Demotion within 6 months after a promotion

A pay reduction waiver shall not be granted to an employee who requests to be demoted back to his or her former position or any other lower level position within six months of a promotion.

2. Demotion as a result of official disciplinary action

A pay reduction waiver shall not be granted to an employee who is demoted as a result of an official disciplinary action.

3. Prior pay reduction waiver

A pay reduction waiver shall not be granted to an employee who demotes a second time within a **6-month** period and who received a pay reduction waiver for the first demotion.

4. Assignment of position to a job title at a lower pay level

Employees who are involuntarily demoted by means of a Civil Service action which reallocates or assigns their position to a lower pay level are not covered by this policy. The pay rates of employees affected by these actions are covered under CS Rules 6.8 (b) and 6.8(d). Rules 6.8(b) and 6.8(d) allow such employees to retain their current rate of pay if it is within the new pay range for their newly assigned job title or to be “red circled” at their current rate of pay if it is above the range maximum of their newly assigned job.

C. Conditional period

Employees who receive a waiver of pay reduction on demotion shall not receive a pay increase on promotion, reallocation, or detail to special duty until such time the employee surpasses the pay level from which (s)he demoted.

D. End of conditional period

When the conditional period has expired, the employee shall retain his/her current rate of pay and the employee shall be eligible for pay increases based on his/her current rate of pay.

VI. EXCEPTIONS

All exceptions to this policy must be approved by the Secretary of LDH. Exceptions may not violate Civil Service rules, regulations or policy standards.

You may obtain a Waiver of Pay Reduction upon Voluntary Demotion Request Form on the LDH Intranet.

VIII. REVISION HISTORY

Date	Revision
July 20, 2000	Policy created
December 13, 2007	Policy revised
July 01, 2018	Policy revised
August 30, 2018	Policy revised (housekeeping changes only)